

**EC2010-669****AN ACT TO AMEND THE CREDIT UNIONS ACT  
DECLARATION RE**

Under authority of section 55 of *An Act to Amend the Credit Unions Act* Stats. P.E.I. 2010, c. 7, Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Credit Unions Act" to come into force effective 1 January 2011, subject to provisions of subsection 55(2).

**EC2010-670****CREDIT UNIONS ACT****CREDIT UNION DEPOSIT INSURANCE  
CORPORATION REGULATIONS**

Pursuant to section 157 of the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1, Council made the following regulations:

1. In these regulations, "Act" means the *Credit Unions Act* R.S.P.E.I. Act 1988, Cap. C-29.1.
2. The Lieutenant Governor in Council shall, under subsection 162(1) of the Act, appoint members of the board of the Corporation as follows:
 

<ol style="list-style-type: none"> <li>(a) in the case of a five member board,               <ol style="list-style-type: none"> <li>(i) two members nominated by the Minister, and</li> <li>(ii) three members nominated by the PEI Regional Group of Atlantic Central; and</li> </ol> </li> <li>(b) in the case of a seven member board               <ol style="list-style-type: none"> <li>(i) three members nominated by the Minister, and</li> <li>(ii) four members nominated by the PEI Regional Group of Atlantic Central.</li> </ol> </li> </ol>	Members of the Corporation
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3. These regulations come into force on January 1, 2011.
 

	Commencement
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**EXPLANATORY NOTES**

**SECTION 1** defines the word "Act".

**SECTION 2** explains who may nominate the persons who are appointed as members of the board of the Corporation.

**SECTION 3** provides for the commencement of these regulations.

**EC2010-671**

FINANCIAL ADMINISTRATION ACT  
AUTHORIZATION FOR  
TEMPORARY BORROWING

Pursuant to section 46 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the Provincial Treasurer to borrow a maximum of twenty million dollars (\$20,000,000.00) from the Royal Bank of Canada, Charlottetown, by way of an overdraft on the government general account for the period 31 December 2010 through 31 December 2011.

**EC2010-672**

LABOUR ACT  
DEPARTMENT OF HEALTH AND WELLNESS  
DECLARATION  
(TO RESCIND)

Council, having under consideration Order-in-Council EC2005-345 of 28 June 2005, rescinded the said Order forthwith, thus rescinding the declaration pursuant to clause 7(1)(i) of the *Labour Act*, R.S.P.E.I. 1988, Cap. L-1, naming the Department of Health and Wellness, a successor department to Department of Health and Social Services, as an employer within the meaning of Part I of the Act with respect to the employees and positions represented by the Unions named in the said Order.

This Order-in-Council is effective 1 January 2011.

**EC2010-673**

LABOUR ACT  
HEALTH PEI  
DECLARATION

Under authority of clause 7(1)(i) of the *Labour Act*, R.S.P.E.I. 1988, Cap. L-1, Council declares Health PEI to be an employer within the meaning of Part I of the *Labour Act* with respect to the employees and positions at Health PEI represented by

- the Prince Edward Island Union of Public Sector Employees,
- the International Union of Operating Engineers (Local 942)
- the Canadian Union of Public Employees (Locals 805, 1051, 1778 and 1779), and
- the Prince Edward Island Nurses Union.

This Order-in-Council is effective 1 January 2011.

**EC2010-674**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 RODNEY EDGAR JOSEPH HOULE AND MARGARET MARIA HOULE  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2010-557 of 19 October 2010, rescinded the said Order forthwith, thus rescinding permission for Rodney Edgar Joseph Houle and Margaret Maria Houle, both of Surrey, British Columbia to acquire approximately sixty-four decimal four four (64.44) acres of land in Lot 24, Queens County, Province of Prince Edward Island from the Estate of Chester Ford of Charlottetown, Prince Edward Island.

**EC2010-675**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DAVID STEPNEY AND SUSAN STEPNEY  
 (DENIAL)

Council, having under consideration an application (#N4945) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to David Stepney and Susan Stepney, both of Zhoda, Manitoba to acquire a land holding of approximately ninety-seven (97) acres of land in Lot 64, Kings County, currently owned by the Estate of Lovell Gosbee of Beach Point, Prince Edward Island.

**EC2010-676**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 7640714 CANADA INC.  
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 7640714 Canada Inc. of Longueuil, Quebec to acquire an interest in a land holding of approximately fourteen decimal two eight two (14.282) acres of land in Lot 45, Kings County, Province of Prince Edward Island, being acquired from Idaho Pacific Holdings Inc. of Rigby, Idaho.

**EC2010-677**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ATLANTIC ROASTED PRODUCTS INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately sixty-five decimal nine two (65.92) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs and Anna Nabuurs, both of Montague, Prince Edward Island PROVIDED THAT the portion of the said real property that has not received subdivision approval, approximately thirty-four decimal five five (34.55) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-678**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ATLANTIC ROASTED PRODUCTS INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately seventy-five (75) acres of land in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs and Anna Nabuurs, both of Montague, Prince Edward Island PROVIDED THAT THAT the portion of the said real property that has not received subdivision approval, approximately forty-five decimal six eight (45.68) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-679**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ATLANTIC ROASTED PRODUCTS INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately one hundred and six decimal two seven (106.27) acres of land in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs and Anna Nabuurs, both of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-680**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ATLANTIC ROASTED PRODUCTS INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately eighty decimal two nine (80.29) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs and Anna Nabuurs, both of Montague, Prince Edward Island PROVIDED THAT the portion of the said real property that has not received subdivision approval, approximately seventy-seven decimal seven five (77.75) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-681**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BENNY MACPHEE INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Benny MacPhee Inc. of Cardigan, Prince Edward Island to acquire a land holding of approximately three hundred and two decimal six nine (302.69) acres of land in Lot 54, Kings County, Province of Prince Edward Island, being acquired from Benedict Gabriel MacPhee and Sylvia Ann MacPhee, both of Cardigan, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-682**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BENNY MACPHEE INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Benny MacPhee Inc. of Cardigan, Prince Edward Island to acquire a land holding of approximately ninety-six decimal seven three (96.73) acres of land in Lot 54, Kings County, Province of Prince Edward Island, being acquired from Benedict Gabriel MacPhee and Sylvia Ann MacPhee, both of Cardigan, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property Nos. 429845 and 774893, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2010-683**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BLUEFIELD ACRES INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bluefield Acres Inc. of North Wiltshire, Prince Edward Island to acquire a land holding of approximately three hundred and nine decimal nine five (309.95) acres of land in Lot 31, Queens County, Province of Prince Edward Island, being acquired from Craig McCloskey of North Wiltshire, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-684**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BREWER ENTERPRISES LTD.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Brewer Enterprises Ltd. of Cavendish, Prince Edward Island to acquire a land holding of approximately forty-five decimal nine one (45.91) acres of land in Lots 24 and 33, Queens County, Province of Prince Edward Island, being acquired from John Brewer and Jean Brewer, both of Cavendish, Prince Edward Island.

**EC2010-685**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DUFFY CONSTRUCTION LTD.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Duffy Construction Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately zero decimal four six nine (0.469) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Kinkora and Area Business Commission Inc. of Kinkora, Prince Edward Island.

**EC2010-686**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
FAIRWAYS COTTAGES INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Fairways Cottages Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal one three (2.13) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from John MacNeill and Jennie MacNeill, both of Hunter River, Prince Edward Island.

**EC2010-687**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
HIGHVUE FARM LTD.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Highvue Farm Ltd. of Dunstaffnage, Prince Edward Island to acquire a land holding of approximately eighty-five decimal three five (85.35) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Donald Thompson and Heather Thompson, both of Dunstaffnage, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-688**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
KARBRENNAL'S COMPANY INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Karbrennal's Company Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two (2) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Kel-Mac Incorporated of Charlottetown, Prince Edward Island.

**EC2010-689**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 KINGSBORO FARMS LTD.  
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Kingsboro Farms Ltd. of Souris, Prince Edward Island to acquire a land holding of approximately three hundred and twenty-six decimal four two (326.42) acres of land in Lots 47 and 52, Kings County, Province of Prince Edward Island, being acquired from Clint Ching and Ashley Ching, both of Souris, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property Nos. 770479 and 643726, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2010-690**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 KINGSBORO FARMS LTD.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Kingsboro Farms Ltd. of Souris, Prince Edward Island to acquire a land holding of approximately forty-six decimal three (46.3) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from Clint Ching and Ashley Ching, both of Souris, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-691**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 MOONLIGHT INTERNATIONAL FOUNDATION INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Moonlight International Foundation Inc. of Murray River, Prince Edward Island to acquire a land holding of approximately ninety-six decimal seven one (96.71) acres of land in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Rhoda L. MacPhee of Cardigan and Carol VanWeichen of Glen Martin, both in Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Moonlight International Foundation Inc. and on all successors in title.



**EC2010-692**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 MOONLIGHT INTERNATIONAL FOUNDATION INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Moonlight International Foundation Inc. of Murray River, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-eight (138) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from James H. Glover of Grand Prairie, Alberta and Edith MacLauchlan of West Covehead, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-693**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 THE NATIVE COUNCIL OF PRINCE EDWARD ISLAND  
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to The Native Council of Prince Edward Island of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal five one (1.51) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Ellis and Birt, Limited of Charlottetown, Prince Edward Island.

**EC2010-694**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 NORTH ROAD HOLDINGS LTD.  
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to North Road Holdings Ltd. of Hunter River, Prince Edward to acquire a land holding of approximately one hundred (100) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Toombs Plumbing & Heating Ltd. of Hunter River, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 235044, was previously subject to a condition preventing subdivision in accordance with section 9 of the said Act. This subdivision restriction continues to apply.

**EC2010-695**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
NOVARTIS ANIMAL HEALTH CANADA INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Novartis Animal Health Canada Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal five nine (1.59) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Stavert Investments Inc. of Charlottetown, Prince Edward Island.

**EC2010-696**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
T S MAGNUM LTD.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to T S Magnum Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one (1) acre of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Kel-Mac Inc. of Charlottetown, Prince Edward Island.

**EC2010-697**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
TAYLOR BUILT RENTALS INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Taylor Built Rentals Inc. of York, Prince Edward Island to acquire a land holding of approximately zero decimal nine seven (0.97) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Benjamin Arthur Hoteling and Rosalie Ann Hoteling, both of Winsloe, Prince Edward Island.

**EC2010-698**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
TWO ANGELS LIMITED  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council granted permission to Two Angels Limited of Bedeque, Prince Edward Island to acquire a land holding of approximately seven hundred and nine decimal zero four (709.04) acres of land in Lots 19, 25, 26, and 27, Prince County, Province of Prince Edward Island, being acquired from Bedeque Farms Ltd. of Bedeque, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property Nos. 223289, 223453, 223479, 493890, 496356, part of 594192, 778803, 812362, and 831479, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2010-699**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
TWO ANGELS LIMITED  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Two Angels Limited of Bedeque, Prince Edward Island to acquire a land holding of approximately three hundred and forty-one decimal zero six (341.06) acres of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from Bedeque Farms Ltd. of Bedeque, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-700**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WINTER RIVER FARMS LTD.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Winter River Farms Ltd. of Suffolk, Prince Edward Island to acquire a land holding of approximately three hundred and seventy-four decimal five (374.5) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Frank Johnston and Shirley Johnston, both of Suffolk, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2010-701**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WINTER RIVER FARMS LTD.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Winter River Farms Ltd. of Suffolk, Prince Edward Island to acquire a land holding of approximately sixty-one (61) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Frank Johnston and Shirley Johnston, both of Suffolk, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 664110, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2010-702**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 710897, LOT 24, QUEENS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventeen decimal nine three (17.93) acres of land, being Provincial Property No. 710897 located in Lot 24, Queens County, Prince Edward Island and currently owned by Parker John Burns of Wheatley River, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two (2) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-703**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 142208, LOT 35, QUEENS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately fourteen (14) acres of land, being Provincial Property No. 142208 located in Lot 35, Queens County, Prince Edward Island and currently owned by F. William Gleim Family Trust and Lauren L. Gleim Family Trust of Quinby, Virginia.

Council noted that this amendment will enable subdivision of four lots of up to two (2) acres each, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-704**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 081414, LOT 25, PRINCE COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred (100) acres of land, being Provincial Property No. 081414 located in Lot 25, Prince County, Prince Edward Island and currently owned by Monaghan Farms Ltd. of Grahams Road, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal two three (0.23) acres and a parcel of land of approximately zero decimal seven four (0.74) acres SUBJECT TO the subdivided parcels totalling approximately zero decimal nine seven (0.97) acres being consolidated with the adjacent Provincial Property No. 412395. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-705**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 148114, LOT 38, KINGS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and nineteen decimal three one (119.31) acres of land, being Provincial Property No. 148114 located in Lot 38, Kings County, Prince Edward Island and currently owned by Polstra Holdings Ltd. of Mount Stewart, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal six eight (0.68) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-706**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 219626, LOT 31, QUEENS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately fifty-six (56) acres of land, being Provincial Property No. 219626 located in Lot 31, Queens County, Prince Edward Island and currently owned by Terry Pratt and Jennifer Shields, both of Elmwood, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal zero seven (1.07) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-707**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 255174, LOT 59, KINGS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately ninety-three decimal five (93.5) acres of land, being Provincial Property No. 255174 located in Lot 59, Kings County, Prince Edward Island and currently owned by Robert D. Reischauer and Charlotte Reischauer, both of Bethesda, Maryland.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two decimal five (2.5) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel and to the remaining land.

This Order-in-Council comes into force on 14 December 2010.

**EC2010-708**

**POLICE ACT  
GENERAL REGULATIONS  
AMENDMENT**

Pursuant to section 58 of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, Council made the following regulations:

**1. Section 5 of the *Police Act* General Regulations (EC141/10) is amended**

**(a) in subsection (1),**

**(i) in clause (c), by the deletion of the words “person’s badge number” and the substitution of the words “person’s service number”, and**

(ii) in clause (f), by the deletion of the words “the date the identification card is issued” and the substitution of the words “the expiry date of the identification card”;

(b) in clause (2)(e), by the deletion of the words “the date the identification card is issued” and the substitution of the words “the expiry date of the identification card”;

(c) in subsection (3),

(i) in clause (c), by the deletion of the words “person’s badge number” and the substitution of the words “person’s service number”, and

(ii) in clause (f), by the deletion of the words “the date the identification card is issued” and the substitution of the words “the expiry date of the identification card”; and

(d) in subsection (4),

(i) in clause (c), by the deletion of the words “person’s badge number” and the substitution of the words “person’s service number”, and

(ii) in clause (e), by the deletion of the words “the date the identification card is issued” and the substitution of the words “the expiry date of the identification card”.

2. These regulations come into force on December 25, 2010.

#### EXPLANATORY NOTES

**SECTION 1** amends the *Police Act* General Regulations to change “badge number” to “service number” and to change the references to the date an identification card is issued to the expiry date on the identification card.

**SECTION 2** provides for the commencement of these regulations.

#### EC2010-709

#### STUDENT FINANCIAL ASSISTANCE ACT GENERAL REGULATIONS

Pursuant to section 38 of the *Student Financial Assistance Act* R.S.P.E.I 1988, Cap. S-8.2 Council made the following regulations:

#### INTERPRETATION

1. In these regulations

	Definitions
(a) “Act” means the <i>Student Financial Assistance Act</i> R.S.P.E.I 1988, Cap. S-8.2;	Act
(b) “appropriate student financial assistance authority”, in respect of a province, means the appropriate authority designated for that province under section 3 of the <i>Canada Student Financial Assistance Act</i> (Canada);	appropriate student financial assistance authority
(c) “dependent student” means a student who is not an independent student;	dependent student
(d) “Designation Policy Framework” means the Designation Policy Framework established by the Intergovernmental Consultative Committee on Student Financial Assistance, as amended from time to time;	Designation Policy Framework
(e) “distance education program” means a program of study in which students principally participate other than by physically attending classes;	distance education program
(f) “end date”, in respect of a period of study, means the end date of the period of study established in accordance with subsection 9(1);	end date
(g) “full course load” means the number of courses in a program of study that an educational institution requires a student to take in any period of study in order to obtain a certificate, diploma or degree in a minimum length of time;	full course load
(h) “full-time student” means a student who is enrolled in the minimum required course load for his or her program of study;	full-time student

- (i) “independent student” means a student who independent student
- (i) has no living parent, guardian, sponsor or other supporting relative,
  - (ii) has been employed full-time, or available for full-time employment, for two or more periods of 12 consecutive months each,
  - (iii) has been out of high school for four or more years,
  - (iv) has a spouse,
  - (v) is a single parent,
  - (vi) is divorced and without children, or
  - (vii) has entered into a written agreement with the Director of Child Protection appointed under section 4 of the *Child Protection Act* R.S.P.E.I., Cap. C-5.1 for the provision of services pursuant to subsection 13(2) of that Act;
- (j) “minimum required course load”, in respect of a program of study, means minimum required course load
- (i) in the case of a student who is not a person with a permanent disability, at least 60% of a full course load for that program of study, or
  - (ii) in the case of a student who is a person with a permanent disability, at least 40% of a full course load for that program of study;
- (k) “period of study” means the period of time that an educational institution considers to be a normal school year for a program of study; period of study
- (l) “permanent disability”, in respect of a person, means a functional limitation of the person caused by a physical or mental impairment that permanent disability
- (i) restricts the ability of the person to perform the daily activities that are necessary to participate in postsecondary studies or in the labour force, and
  - (ii) is expected to remain with the person for the duration of his or her life;
- (m) “program of study” means the series of periods of study at an educational institution program of study
- (i) that is considered by the educational institution to be necessary to obtain a degree, certificate or diploma, and
  - (ii) the aggregate of which is at least 12 weeks within a period of 15 consecutive weeks;
- (n) “service provider” means a person who has entered into an agreement with the Minister under section 16 of the Act; service provider
- (o) “single parent” means a person who has no spouse and has legal custody of, and financial responsibility for supporting, his or her child; single parent
- (p) “sponsor” means a person who, in respect of a student, is the student’s sponsor within the meaning of the regulations made under the *Immigration and Refugee Protection Act* (Canada); sponsor
- (q) “spouse” means a person who, in respect of another person, spouse
- (i) is married to the other person,
  - (ii) has entered into a marriage with the other person that is voidable or void,
  - (iii) is not married to the other person but is cohabiting with him or her in a conjugal relationship, and
    - (A) has so cohabited with the other person for a period of at least 12 consecutive months, or
    - (B) was identified as the other person’s common law partner on the other person’s most recent income tax return, or
  - (iv) is not married to the other person but is cohabiting with him or her in a conjugal relationship and together they are the natural or adoptive parents of a child;
- (r) “student” means a person who is qualified for enrolment or is enrolled at an educational institution; student
- (s) “Treasury Board” means the Treasury Board constituted under subsection 8(1) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12. Treasury Board



## DESIGNATION OF EDUCATIONAL INSTITUTIONS

- 2.** The Designation Policy Framework is adopted as the framework governing the designation of educational institutions under the Act and these regulations. Designation Policy Framework adopted
- 3.** An institution of learning that was, immediately before the day this section comes into force, designated by an appropriate student financial assistance authority as a designated educational institution under section 3 of the *Canada Student Financial Assistance Act* (Canada), is deemed, on the coming into force of this section, to have been designated by the Minister as an educational institution under subsection 14(2) of the Act. Educational institution deemed to be designated under the Act
- 4.** A person who applies to the Minister under subsection 14(1) of the Act to have an institution of learning designated as an educational institution shall provide Application for designation as educational institution
- (a) such proof of the matters referred to in section 6 as the Minister may require; and
- (b) such other information as the Minister may require.
- 5.** (1) The Minister may designate an institution of learning that offers a program of study within the province as an educational institution if the institution meets the requirements of section 6 and is registered as a private training school under the *Private Training Schools Act* R.S.P.E.I. 1988, Cap. P-20.1. Designation of private training school
- (2) The Minister may designate an institution of learning that offers a program of study in another province as an educational institution, if the institution Designation of institution in another province
- (a) has been designated for the purposes of student financial assistance eligibility by the appropriate student financial assistance authority in that province; and
- (b) meets the requirements of section 6.
- (3) The Minister may designate an institution of learning that is outside Canada as an educational institution if the institution Designation of institution outside Canada
- (a) offers a program of study that leads to an associate, undergraduate, graduate or professional degree or is at least two years in duration; and
- (b) meets the requirements of section 6.
- 6.** The Minister may designate an institution of learning referred to in section 5 as an educational institution where the Minister is satisfied that the institution Eligibility for designation as an educational institution
- (a) provides information and counseling to students respecting their eligibility for student financial assistance that is acceptable to the Minister;
- (b) has a refund policy for students who withdraw from a program before completion that is acceptable to the Minister;
- (c) has a grade 12 or equivalent entrance requirement or a mature student policy that is acceptable to the Minister;
- (d) has a default prevention plan that is acceptable to the Minister;
- (e) adheres to the administrative requirements specified by the Minister; and
- (f) meets the criteria set out in the Designation Policy Framework.
- 7.** The Minister may, with the approval of the Lieutenant Governor in Council, revoke the designation of an educational institution where the institution ceases to meet the requirements for the designation under section 5 or 6. Revocation of designation

## CERTIFICATE OF ELIGIBILITY

- 8.** A person who applies to the Minister under subsection 20(1) of the Act for a certificate of eligibility shall Application for certificate of eligibility
- (a) submit the application within the time that the Minister may require;
- (b) specify the educational institution and the approved program of study in which the person is enrolled or intends to enrol;
- (c) specify the period of study for which the student loan is requested; and
- (d) provide proof satisfactory to the Minister that he or she meets the requirements of section 10.
- 9.** (1) The Minister shall establish an end date for a period of study for which a student loan may be provided. End date for period of study

(2) The Minister shall not

- (a) accept an application for a certificate of eligibility; or
- (b) issue a certificate of eligibility,

after the end date for the period of study for which the student loan is requested.

Certificate of  
eligibility  
prohibited

**10.** (1) For the purposes of clause 20(2)(b) of the Act, the Minister may issue a certificate of eligibility to an applicant where the Minister is satisfied that

Eligibility for  
certificate of  
eligibility

- (a) the program of study in which the applicant is or intends to be enrolled is approved by the Minister;
- (b) the applicant is or intends to be a full-time student;
- (c) the applicant has insufficient financial resources to meet his or her needs, as assessed by the Minister;
- (d) the applicant is not in arrears or default on a student loan; and
- (e) the applicant is eligible to receive a student loan under the *Canada Student Financial Assistance Act* (Canada).

(2) A certificate of eligibility shall state

- (a) the amount of student loan for which the applicant is eligible; and
- (b) the start and end dates for the period of study to which the certificate of eligibility applies.

Information on  
certificate of  
eligibility

#### RESIDENCE

**11.** (1) For the purposes of the definition of “qualifying student” in section 1 of the Act, a person is a resident of the province

Residence

- (a) in the case of a dependent student,
  - (i) if the student’s parents, or parent where one parent is deceased, have lived in the province for a period of at least 12 consecutive months immediately before the start of the period of study to which the student’s application for a certificate of eligibility applies,
  - (ii) if the student’s parents are divorced or separated and
    - (A) the parent with whom the student normally lives, or
    - (B) where the student lives with neither parent, the parent who provides the principal financial support for the student,
 has lived in the province for a period of at least 12 consecutive months immediately before the start of the period of study to which the student’s application for a certificate of eligibility applies,
  - (iii) if the student’s parents moved from the province to another province, and
    - (A) before the move, the student’s parents lived in the province for a period of at least 12 consecutive months, and
    - (B) the student remained in the province to begin or continue studies at an educational institution in the province not less than 12 months after his or her parent’s move, or
  - (iv) if the student’s parents moved from the province and live outside of Canada, and
    - (A) the province was the last province in which they lived for a period of at least 12 consecutive months before leaving Canada, and
    - (B) the student remained in the province to begin or continue studies at an educational institution in the province; or
- (b) in the case of an independent student,
  - (i) the student has lived in the province for a period of at least 12 consecutive months immediately before the start of the period of study to which the student’s application for a certificate of eligibility applies,
  - (ii) the student’s spouse has been employed full-time in the province, or has lived in the province and has been available for full-time employment, for a period of at least 12 consecutive months immediately before the start of the period of study to which the student’s application for a certificate of eligibility applies, or
  - (iii) if the student became a resident of the province under subclause (ii) and subsequently became a single parent, until the student leaves the province to live in another province.

(2) Notwithstanding subsection (1), for the purposes of the definition of “qualifying student” in section 1 of the Act, a person is a resident of the province if the person *Idem*

- (a) is a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act* (Canada) or a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada);
- (b) lives in the province; and
- (c) has lived in no other province since arriving in Canada.

#### ASSESSMENT OF NEED

**12.** (1) In this section and sections 13 to 18, “applicant” means an applicant for a certificate of eligibility under subsection 20(1) of the Act. “applicant” defined

(2) The Minister shall assess the need of an applicant to determine, in respect of a period of study, whether Assessment of need for eligibility for student loan

- (a) the applicant is eligible to receive a student loan; and
- (b) if the applicant is eligible to receive a student loan, the amount of the student loan that the applicant is eligible to receive.

(3) For the purposes of subsection (1), the need of an applicant is the amount by which the applicant’s educational and living expenses exceeds his or her financial resources. Need

(4) Subject to these regulations, Treasury Board shall, in accordance with annual Canada Student Loan Program criteria provided by the Government of Canada, establish Expenses and resources used to determine need

- (a) the educational and living expenses; and
  - (b) the financial resources of an applicant and his or her parent, guardian, supporting relative or spouse,
- that will be used to assess an applicant’s need.

(5) Subject to these regulations, the following shall be included as a financial resource of the applicant for the purposes of assessing the applicant’s need: Financial resources of applicant

- (a) in the case of an applicant who is a dependent student, the income of the applicant and his or her parents, guardians, or supporting relatives;
- (b) in the case of an applicant who has a spouse, the income of the applicant and his or her spouse.

(6) The Minister shall assess the need of an applicant on the basis of the information provided with his or her application and any other information that the Minister considers appropriate. Information provided with application

**13.** (1) The parents of an applicant who is a dependent student, including parents who are separated or divorced, shall provide with that applicant’s application the financial information that the Minister may require. Financial information of parents

(2) The step-parent of an applicant who is a dependent student shall provide with that applicant’s application the financial information that the Minister may require where Financial information of step-parent

- (a) the step-parent and a parent of the applicant were spouses before the applicant reached 18 years of age; and
- (b) the applicant resides with a parent and the step-parent.

(3) Notwithstanding subsections (1) and (2), the Minister may, where circumstances warrant it, require the financial information of one parent or step-parent only. Financial information required by Minister

**14.** (1) In this section, “pre-study period” means a period of time that is not more than 18 weeks immediately before an applicant begins a period of study, during which time the applicant is not a full-time student. “pre-study period” defined

(2) The earnings from employment during a pre-study period of an applicant shall be included as a financial resource of the applicant for the purpose of assessing the applicant's need, in accordance with the following formula:

$$C = [(GI - PD) - LA] \times 80\%$$

where

- C is the contribution used as a resource to calculate need;
- GI is the gross income for the pre-study period;
- PD is the total deduction from pay that is permitted by the Minister; and
- LA is the weekly living allowance as determined by the Minister.

(3) Upon the commencement of a period of study, an applicant shall provide to the Minister, in the form and by the date that the Minister may require, a confirmation of earnings for the pre-study period.

(4) Treasury Board may establish a minimum amount of contribution from an applicant for a pre-study period that will be included as a financial resource of the applicant for the purpose of assessing the applicant's need.

**15.** The earnings from employment during a period of study of an applicant shall be included as a financial resource of the applicant for the purpose of assessing the applicant's need, in accordance with the following formula:

$$C = (I - D - AA) \times 100\%$$

where

- C is the contribution used as a resource to calculate that student's need;
- I is the gross income for the study period;
- D is the total amount of deduction from pay that is permitted by the minister; and
- AA is the income allowance that is established by the minister.

**16.** (1) A certificate of eligibility shall not be issued in an amount that is less than \$100.

(2) Treasury Board shall establish maximum weekly amounts for student loans.

(3) For the purposes of subsection 20(5) of the Act, the maximum amount of a student loan that may be provided to an applicant is the weekly amount established by Treasury Board multiplied by the number of weeks in the period of study for which the student loan is requested.

#### REASSESSMENT

**17.** (1) The Minister may reassess an application for a certificate of eligibility where an audit or review of the application reveals information, or information is otherwise made available to the Minister, that differs from the information provided with respect to a previous or current application of that applicant under the Act and these regulations.

(2) Where the Minister reassesses an application for a certificate of eligibility with respect to a current period of study and determines that the applicant is entitled to a student loan in a greater amount than the applicant received, the Minister may, before the end date of the period of study, issue another certificate of eligibility to the applicant for an additional student loan.

## OBLIGATIONS OF STUDENT

- 18.** An applicant to whom a certificate of eligibility has been issued shall
- (a) have an appropriate official of the educational institution at which that applicant is enrolled confirm that applicant's enrolment as a full-time student on the certificate of eligibility;
  - (b) sign a student loan agreement with the Corporation in which the applicant agrees to repay his or her student loan in accordance with the Act and these regulations and the terms and conditions of the student loan agreement;
  - (c) sign the consents, authorizations and certificates that the Minister may require; and
  - (d) submit the completed certificate of eligibility and student loan agreement to the service provider in respect of the student loan within 30 days of the confirmation of enrolment referred to in clause (a), and before the last day of the month of the end date of his or her period of study.
- 19.** A student loan shall not be disbursed
- (a) before the start date of the period of study; or
  - (b) after the last day of the month of the end date of the period of study,
- for which the student loan was requested.

Obligations of student

Disbursement of student loan

## STUDENT LOAN AGREEMENT

- 20.** A student loan agreement shall include provisions that state the following:
- (a) any refund of fees paid to an educational institution by the borrower from student financial assistance provided under the Act shall be paid by the educational institution to the Corporation or to a lender, as the case may be, for credit against a student loan received by the borrower;
  - (b) interest on a student loan is payable before and after a default, before and after the maturity date and after judgment with respect to that student loan;
  - (c) the borrower shall pay all legal fees incurred by the Corporation or the lender, as the case may be, as a result of efforts to collect the student loan.

Student loan agreement

## OVERAWARD

- 21.** (1) In this section, "overaward" means the amount of a student loan received by a borrower that is greater than that to which he or she was entitled under the Act and these regulations.
- (2) Where, as a result of a reassessment of an application for a certificate of eligibility it is determined that a borrower has received an overaward,
- (a) the overaward shall be deducted from the borrower's future entitlements to student financial assistance; or
  - (b) where the borrower has commenced repayment of a student loan, the borrower shall repay the overaward in accordance with the repayment plan applicable to his or her student loan.

"overaward" defined

Recovery of overaward

## MAINTAINING STUDENT LOAN ELIGIBILITY

- 22.** (1) A borrower who receives a student loan for a period of study is not eligible to receive a subsequent student loan unless he or she successfully completes the minimum required course load during that period of study.
- (2) Notwithstanding subsection (1), where a borrower does not meet the requirements of subsection (1), the Minister may place the borrower on probation in the manner that the Minister may direct and, on application made under subsection 20(1) of the Act in accordance with these regulations, issue a certificate of eligibility to the borrower.
- (3) Where the Minister determines that a borrower has not met the requirements of a probation referred to in subsection (2), the borrower shall not be eligible for a student loan for at least 12 months after the end date of the period of study referred to in subsection (1).

Eligibility for subsequent student loan

Probation and certificate of eligibility

Ineligibility for student loan

(4) Where, upon the expiry of the 12 months referred to in subsection (3), the borrower has not complied with subsection (1), he or she is not eligible for a student loan for at least an additional 36 months. *Idem*

(5) The Minister may exempt a borrower from the requirements of subsection (1) for such period as the Minister may determine where the Minister is satisfied that the borrower has experienced temporary illness or disability or other special circumstances that, in the opinion of the Minister, warrants the exemption. *Exemption*

**23.** A borrower enrolled in a program of study that requires one or more mandatory work terms is deemed to be a full-time student during those work terms if the educational institution at which the borrower is enrolled considers the borrower to be a full-time student. *Work terms*

#### DURATION OF STUDENT LOANS

**24.** (1) Subject to subsection (3), the maximum duration of all student loans made to a borrower in respect of a program of study is the scheduled length of the program of study, plus one additional period of study. *Maximum duration of student loans*

(2) For the purposes of subsection (1), the additional period of study shall be not fewer than 12 weeks and not more than 52 weeks in length in accordance with criteria that the Minister may establish having regard to the overall length of the borrower's program of study. *Additional period of study*

(3) The Minister may extend the period referred to in subsection (2) in respect of a borrower where the borrower changes his or her program of study and requests an extension, and the Minister determines that the new program is an academic progression. *Extension*

#### NOTIFICATION

**25.** (1) A borrower shall promptly notify the Minister and the service provider in respect of his or her student loan of any change in his or her  
 (a) marital or family status;  
 (b) status as a full-time student at an educational institution;  
 (c) education costs for a period of study; or  
 (d) financial resources, including the financial resources described in subsection 12(4),  
 that occurs during a period of study in respect of which the borrower received a student loan. *Notification of change in status*

(2) A borrower who is enrolled as a full-time student at an educational institution for a period of study for which he or she is not receiving a student loan shall, on a form approved by the Minister, promptly notify the Minister and the service provider in respect of the student loan of his or her enrolment. *Notification of full-time enrolment*

#### STUDENT LOAN PAYMENT

**26.** (1) Subject to these regulations, a borrower is not obligated to pay principal and interest in respect of a student loan, and interest shall not accrue on a student loan,  
 (a) during a period in which the borrower is a full-time student; and  
 (b) for a period of six months after the month in which the borrower ceases to be a full-time student. *No obligation to pay principal and interest*

(2) Subject to these regulations, a borrower becomes obligated to pay principal and interest in respect of a student loan on the first day of the seventh month after the month in which he or she ceases to be a full-time student. *Obligation to pay principal and interest*

(3) Subject to these regulations, interest on a student loan shall accrue daily and be calculated monthly, commencing on the first day of the seventh month after the month in which the borrower in respect of that student loan ceases to be full-time student. *Accrual of interest*

(4) Where a borrower referred to in subsection 25(2) fails to notify the Minister as required under that subsection within six months after the month of the end date of a period of study of the borrower, the borrower is deemed to have ceased to be a full-time student on that end date. *Failure to notify Minister*

(5) The Minister shall reinstate the status of a borrower referred to in subsection (4) as a full-time student for the purposes of these regulations where the borrower *Reinstatement of status as full-time student*

- (a) notifies the Minister and the service provider in respect of the student loan, on a form approved by the Minister, of the borrower's full-time enrolment at an educational institution; and
- (b) pays any interest outstanding in respect of the student loan and any fees referred to in clauses 40(a) and (b).

## RESERVE FORCE

- 27.** (1) In this section, Definitions
- (a) "designated operation" means an operation that is designated under subsection 247.5(2) of the *Canada Labour Code* (Canada); designated operation
  - (b) "reserve force" means the reserve force as defined in subsection 2(1) of the *National Defence Act* (Canada). reserve force
- (2) Where a borrower Member of reserve force
- (a) is a member of the reserve force; and
  - (b) interrupts his or her program of studies to serve on a designated operation,
- the borrower ceases to be a full-time student on the date on which he or she ceases to be a full-time student under subsection 8(2) or (4) of the *Canada Student Financial Assistance Regulations* (Canada).
- (3) A borrower referred to in subsection (2) shall, no later than 30 days after receipt of his or her posting message provided by the Department of National Defence (Canada), unless circumstances beyond his or her control necessitate a longer period, Notification of designated operation
- (a) notify the Minister, on a form approved by the Minister, that the borrower will be serving on a designated operation; and
  - (b) provide the Minister with a list of student loans of the borrower that are not owned by the Corporation, if any.
- (4) A borrower referred to in subsection (1) shall, without delay on the request of the Minister, provide to the Minister Information to Minister
- (a) the borrower's social insurance number;
  - (b) a list of the borrower's outstanding student loans;
  - (c) a copy of the posting message received by the borrower; and
  - (d) information that the Minister considers necessary to determine the date on which the borrower ceases to be a full-time student in accordance with subsection (2).
- (5) The Minister may consider one or more of the requirements of subsections (3) and (4) to be satisfied where a borrower has complied with subsection 8(3) of the *Canada Student Financial Assistance Regulations* (Canada). Compliance with notification and information requirements

## LOAN CONSOLIDATION NOTICE

- 28.** (1) The Minister may consolidate all outstanding student loans of a borrower after the borrower ceases to be a full-time student. Consolidation of loans
- (2) The Minister shall, without delay after a borrower ceases to be a full-time student, serve on the borrower a loan consolidation notice setting out, in respect of all outstanding student loans of the borrower, Loan consolidation notice
- (a) the total outstanding principal amount;
  - (b) the interest rate;
  - (c) the repayment period;
  - (d) the maturity date;
  - (e) the monthly loan payment date; and
  - (f) the amount of the instalment payments due on each monthly loan payment date.
- 29.** A borrower and the Corporation or a lender, as the case may be, may amend the terms of a loan consolidation notice if the borrower notifies the Corporation or lender that the terms are such that he or she will be in default and if the Corporation or lender considers that an amendment will enable the borrower to meet his or her obligations in respect of his or her student loan. Amendment of terms

## ARREARS AND DEFAULT

- 30.** (1) A borrower is in arrears of his or her obligation to repay a student loan if he or she does not make an instalment payment as required by a loan consolidation notice and the failure to make the required payment continues for a period of not fewer than 31 days and not more than 269 days. Arrears

(2) A borrower is in default of his or her obligation to repay a student loan if he or she does not make an instalment payment as required by a loan consolidation notice and the failure to make the required payment continues for a period of not fewer than 270 days.

Default

#### DEBT REDUCTION GRANT

**31.** (1) In this section and section 32,

Definitions

(a) “federal student loan” means a loan made under the *Canada Student Financial Assistance Act* (Canada) or the *Canada Student Loans Act* (Canada);

federal student loan

(b) “provincial student loan” means a student loan as defined in clause 1(m) of the Act.

provincial student loan

(2) A borrower may apply to the Minister, on a form approved by the Minister, for a debt reduction grant in respect of the borrower’s provincial student loans.

Application for debt reduction grant

(3) An applicant shall provide with an application made under subsection (1) proof satisfactory to the Minister that he or she meets the requirements as set out in subsection (4).

Proof

(4) The Minister may grant a debt reduction grant in respect of an applicant’s provincial student loans where the Minister is satisfied that the applicant

Eligibility for debt reduction grant

(a) graduated from a program of study within 365 days immediately preceding the date of application; and

(b) during the program of study referred to in clause (a), received a total of more than \$6,000 per academic year in provincial student loans and federal student loans.

**32.** (1) A debt reduction grant granted by the Minister to a borrower under subsection 31(4) shall

Amount and application of debt reduction grant

(a) be equal to the total amount of provincial student loans received by the borrower, not exceeding \$2,000 per academic year of the program of study for which the provincial student loans were made; and

(b) be applied against the amount payable by the borrower in respect of the provincial student loans received by the borrower.

(2) Notwithstanding subsection (1), where the balance owed in respect of a borrower's provincial student loans is less than the amount of a grant to which he or she is entitled, the remaining balance of the grant shall be paid to the borrower.

Excess balance

#### INTEREST RELIEF

**33.** Payments are not required on a student loan during the period that the student loan has interest relief status.

Payments not required

**34.** Interest shall not accrue on a student loan during the period that the student loan has interest relief status.

Interest does not accrue

**35.** (1) A borrower may apply to the Minister, on a form approved by the Minister, for interest relief status in respect of a student loan.

Application for interest relief status

(2) An applicant shall provide with an application made under subsection (1) proof satisfactory to the Minister that the applicant meets the requirements as set out in subsection (3).

Proof

(3) The Minister may grant interest relief status for a specified period in respect of an applicant’s student loan where the Minister is satisfied that the applicant is required to make monthly payments on his or her student loan and the applicant’s family income for the period is not sufficient to make the payments.

Eligibility for interest relief status

(4) Interest relief may be granted for periods of six months at a time and for not more than 30 months over the duration of the repayment schedule of a student loan.

Duration of interest relief

(5) Where the Minister grants interest relief in respect of a student loan under subsection (3), the first instalment payment on the student loan after the period of interest relief ends is due on the monthly loan payment date set out in the loan consolidation notice under subsection 28(2) that is within one month after the end of the interest relief period.

Payment due



(6) In this section, “family income” means the applicant’s gross income, and the gross income of his or her spouse, if any, from all sources except the Universal Child Care Benefit received under section 4 of the *Universal Child Care Benefit Act* (Canada). “family income” defined

**36.** The Minister may terminate an interest relief status in respect of a borrower’s student loan where Termination of interest relief status

(a) the borrower or his or her spouse has provided false or misleading information to the Minister; or

(b) the borrower fails to comply with a provision of the Act, these regulations or a student loan agreement of the borrower.

#### LOAN FORGIVENESS

**37.** (1) A person may apply to the Minister on a form approved by the Minister, for loan forgiveness in respect of a borrower’s student loan. Application for loan forgiveness

(2) An applicant shall provide with an application made under subsection (1) proof satisfactory to the Minister that the requirements as set out in subsection (3) have been met. Proof

(3) The Minister may forgive all or part of the principal or interest, or both, of a borrower’s student loan where the Minister is satisfied that Eligibility for loan forgiveness

(a) the borrower is deceased; or

(b) the borrower is a person with a permanent disability and, as a result, is unable to pay the student loan.

(4) A decision made by the Minister under this section is final and is not subject to review or appeal. Decision of Minister is final

(5) The Minister may, for the purpose of making a determination under this section, obtain the opinion of a medical practitioner with respect to the nature and extent of the applicant’s permanent disability. Opinion of medical practitioner

#### DEBT COLLECTION

**38.** Notwithstanding the interest rate applicable to a student loan under the terms of a student loan agreement, the interest rate in effect on any day for a debt owed to the Crown or the Corporation as a result of the Crown or the Corporation fulfilling the obligations of a borrower under the student loan agreement, shall be the rate in effect on the day as determined by the Lieutenant Governor in Council. Interest rate for debt

**39.** (1) Where a borrower fails to pay interest on a student loan, the Minister may, as a condition of providing interest relief or other student financial assistance, require the borrower to Payment or capitalization of accrued interest

(a) pay all or a part of the accrued interest owing on the student loan; or

(b) capitalize all or a part of the accrued interest owing on the student loan.

(2) Where the Minister capitalizes accrued interest owing on a student loan, the capitalized accrued interest shall form a part of the principal owed on the student loan. Capitalized interest

#### FEES AND CHARGES

**40.** Where a borrower owes money to the Crown or to the Corporation under an agreement by subrogation or otherwise on account of student financial assistance received by the borrower, that borrower shall pay the following fees and charges: Fees and charges

- (a) \$35 for each dishonoured cheque provided to the Minister or to the Corporation;
- (b) \$15 for each late or missed payment;
- (c) an amount paid by the Crown to a lender to obtain student financial assistance documentation with respect to the borrower; and
- (d) legal costs incurred by the Crown or the Corporation pursuant to a court action to collect a debt under the Act or these regulations or an amount paid to an agent collecting a debt under the Act or these regulations on behalf of the Crown or the Corporation.

**41.** Where an amount of \$10 or less is owed to a borrower by the Corporation, that amount shall not be refunded to the borrower unless requested by him or her. Amount not refunded

### CONFIRMATION OF INFORMATION

**42.** The Minister may confirm with an educational institution any personal information, including academic record and status, with respect to a borrower who is a student or former student at the educational institution that the Minister considers necessary to determine the student's eligibility for student financial assistance under the Act and these regulations and to administer the Act and these regulations.

Confirmation of information

### COMMENCEMENT

**43.** These regulations come into force on January 1, 2011.

Commencement

### EXPLANATORY NOTES

**SECTION 1** sets out the definitions that apply to these regulations.

**SECTION 2** adopts the Designation Policy Framework established by the Intergovernmental Consultative Committee on Student Financial Assistance as the framework governing the designation of educational institutions.

**SECTION 3** provides that an institution of learning that was designated as a designated educational institution under the *Student Financial Assistance Act* (Canada) before this section comes into force is deemed to have been designated by the Minister as a designated educational institution.

**SECTION 4** requires a person who applies to have an institution of learning designated as an educational institution to provide the proof and information that the Minister may require.

**SECTION 5** authorizes the Minister to designate institutions of learning in the province, in other provinces and outside Canada as educational institutions, where the requirements of section 6 are met.

**SECTION 6** sets out the requirements that must be met in order for the Minister to designate an institution of learning as an educational institution.

**SECTION 7** authorizes the Minister, with the approval of the Lieutenant Governor in Council, to revoke the designation of an educational institution where the institution ceases to meet the requirements for the designation.

**SECTION 8** sets out the procedures and requirements for applying for a certificate of eligibility under the Act.

**SECTION 9** authorizes the Minister to establish an end date for a period of study.

**SECTION 10** sets out the requirements that must be met in order for the Minister to issue a certificate of eligibility under the Act.

**SECTION 11** sets out the residence requirements of a student for the purposes of the definition of "qualifying student" in the Act.

**SECTION 12** requires the Minister to assess the need of an applicant for a certificate of eligibility, in accordance with the criteria established by Treasury Board. Treasury Board shall establish the expenses and financial resources to be used to determine an applicant's need in accordance with annual Canada Student Loans Program criteria.

**SECTION 13** requires the parents and, in certain circumstances the step-parent, of a dependent student to provide financial information with the student's application for a certificate of eligibility.

**SECTION 14** sets out the formula for determining the earnings from employment during a pre-study period that shall be included as a financial resource of an applicant for a certificate of eligibility.

**SECTION 15** sets out the formula for determining the earnings from employment during a study period that shall be included as a financial

resource for the purpose of assessing the need of an applicant for a certificate of eligibility.

**SECTION 16** authorizes Treasury Board to set maximum weekly loan amounts and provides that a certificate of eligibility shall not be issued for an amount less than \$100.

**SECTION 17** authorizes the Minister to reassess an application for a certificate of eligibility where information in respect of the application differs from information provided with respect to a previous or current application of the applicant. Where the Minister determines that the applicant is entitled to a greater student loan than the applicant received, the Minister may issue another certificate of eligibility.

**SECTION 18** sets out the obligations of an applicant to whom a certificate of eligibility is issued to have his or her enrolment confirmed, sign the required documents and submit the documents to the service provider.

**SECTION 19** prohibits the disbursement of a student loan before the start date of a period of study or after the last day of the month of the end date of the period of study for which the student loan was requested.

**SECTION 20** sets out provisions that shall be included in a student loan agreement.

**SECTION 21** provides for the recovery of an overaward received by a borrower.

**SECTION 22** sets out the requirements for maintenance of student loan eligibility. A borrower shall successfully complete the minimum course load for his or her period of study. The Minister may place a borrower on probation, or may exempt a borrower from the requirements where the Minister is satisfied that the borrower has experienced temporary illness or disability or other special circumstances.

**SECTION 23** provides that a borrower is deemed to be a full-time student during one or more mandatory work terms if the educational institution at which the borrower is enrolled considers the borrower to be a full-time student.

**SECTION 24** sets out the maximum duration of all student loans made to the borrower for a program of study. The Minister may extend the period where the borrower changes his or her program of study and the Minister determines that the new program is an academic progression.

**SECTION 25** requires a borrower to promptly notify the Minister and the service provider of any change in his or her status. A borrower who is not currently receiving a student loan shall promptly notify the Minister and the service provider of his or her enrolment as a full-time student at an educational institution.

**SECTION 26** provides that a borrower is not obligated to pay principal and interest on a student loan while the borrower is a full-time student, or for six months after the month in which the borrower ceases to be a full-time student. A borrower who fails to notify the Minister of his or her full-time enrolment after the end date of a period of study is deemed to have ceased to be a full-time student on that end date. A borrower's status as a full-time student may be reinstated where the borrower notifies the Minister of his or her full-time enrolment and pays any outstanding interest and fees in respect of his or her student loan.

**SECTION 27** provides that a borrower who is a member of the reserve force and serving on a designated operation ceases to be a full-time student on the date on which he or she ceases to be a full-time student under the *Canada Student Financial Assistance Regulations* (Canada). The borrower shall notify the Minister of his or her posting and provide the information that the Minister requires.

**SECTION 28** authorizes the Minister to consolidate the outstanding student loans of a borrower after the borrower ceases to be a full-time student. The Minister shall serve on the borrower a loan consolidation

notice setting out the details and terms for repayment of the borrower's outstanding student loans.

**SECTION 29** authorizes the borrower and the Corporation or a lender to amend the terms of a loan consolidation notice if the borrower will be in default and the Corporation or lender considers that an amendment will enable the borrower to meet his or her obligations.

**SECTION 30** sets out the circumstances in which a borrower is in arrears or default in respect of a student loan.

**SECTION 31** sets out the procedure and eligibility requirements for an application for a debt reduction grant.

**SECTION 32** provides that the Minister may grant a debt reduction grant to a borrower not exceeding \$2,000 per academic year of the program of study for which the borrower's provincial loans were made.

**SECTION 33** provides that payments are not required on a student loan during the period that the student loan has interest relief status.

**SECTION 34** provides that interest does not accrue on a student loan during the period that the student loan has interest relief status.

**SECTION 35** sets out the procedure and eligibility requirements for an application for interest relief status for a specified period in respect of a student loan.

**SECTION 36** authorizes the Minister to terminate an interest relief status in respect of a student loan where false or misleading information has been provided to the Minister, or the borrower fails to comply with the Act, these regulations or a student loan agreement.

**SECTION 37** sets out the procedure and eligibility requirements for an application for loan forgiveness in respect of a student loan.

**SECTION 38** provides that the interest rate in effect on any day for a debt owed to the Crown or the Corporation as a result of the Crown or the Corporation fulfilling the obligations of a borrower under a student loan agreement is the rate determined by the Lieutenant Governor in Council.

**SECTION 39** provides that where a borrower fails to pay interest on a student loan, the Minister may, as a condition of providing interest relief or other student financial assistance, require the borrower to pay the accrued interest, or capitalize the accrued interest and add it to the principal on the student loan.

**SECTION 40** sets out the fees and charges that shall be payable by a borrower.

**SECTION 41** provides that an amount of \$10 or less shall not be refunded to the borrower unless the borrower requests.

**SECTION 42** authorizes the Minister to confirm with an educational institution any personal information with respect to a borrower who is a student or former student at that institution that the Minister considers necessary to determine the student's eligibility for student financial assistance and to administer the Act and these regulations.

**EC2010-710**

EXECUTIVE COUNCIL ACT  
 MINISTER OF FINANCE AND MUNICIPAL AFFAIRS  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (RECIPROCAL TAXATION AGREEMENT)  
 WITH  
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Finance and Municipal Affairs to enter into a Reciprocal Taxation Agreement with the Government of Canada, as represented by the Minister of Finance, for the period 1 January 2011 to 31 December 2015, whereby each party will bear or pay the taxes and fees imposed by the other party, such as more particularly described in the draft agreement.

**EC2010-711**

**SUMMARY PROCEEDINGS ACT  
 TICKET REGULATIONS  
 AMENDMENT**

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

**1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the addition of the following immediately after Part 52:**

## PART 52.1

**WILDLIFE CONSERVATION ACT  
 Fur Harvesting Regulations  
 (EC663/04)**

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Set a trap or a snare that is not properly stamped.....	2(5)	\$200
2	Place in wildlife habitat a snare larger than 20-gauge wire during the closed season for snaring fox or coyote.....	4(1)	200
3	Possess a snare that is not marked with the registration number.....	4(4)	200
4	Unlawfully set a snare for coyote or fox within 50 metres of bait.....	4(5)	200
5	Unlawfully set a body-gripping trap.....	5(2)	200
6	Unlawfully set a foot-hold trap.....	6(2)	200
7	Set a foot-hold trap in combination with a running pole set or a spring pole set.....	6(3)	200
8	Set a toothed trap, a deadfall or a hook.....	7	200
9	Place a trap in wildlife habitat before the open season for that species.....	8(1)(a)	200
10	Leave a trap in wildlife habitat after the close of the trapping season for that species.....	8(1)(b)	200
11	Unlawful possession or setting of a trapping device.....	8(2)	200
12	Cut, spear, break, destroy or interfere with the den or burrow of a fox or coyote.....	9(1)(a)	200
13	Cut, spear, break, destroy or interfere with a beaver house or dam, a mink den, a muskrat house or den.....	9(1)(b)	200
14	Unlawfully set a trap for or attempt to trap raccoon in places frequented by mink or muskrat.....	9(1)(c)	200
15	Take or attempt to take any beaver, mink or muskrat by any means other than trapping.....	9(1)(d)	200
16	Fail to check at least once a day a trap designed to hold an animal alive.....	9(1)(e)	200
17	Fail to check at least once every 48 hours a trap designed to kill an animal.....	9(1)(f)	200
18	Break, interfere with, destroy, remove or otherwise disturb a trap registered to another person.....	9(1)(g)	200
19	Set a snare within 200 m of an occupied dwelling without the homeowner's or occupier's permission.....	9(1)(h)	200
20	Set a baited snare within 300 m of an occupied dwelling without the homeowner's or occupier's permission.....	9(1)(i)	200
21	Set a snare smaller than 1.98 mm for fox or coyote.....	9(1)(j)	200

22 Fail to examine at least once every 72 hours a body-gripping trap, a submarine trap or an underwater snare.....	9(1)(k)	200
23 Unlawful possession of the green hide, carcass or any portion of a fur-bearing animal.....	10(1)	200
24 Fail to provide information on the trapping of the fur-bearing animal.....	10(2)(a)	200
25 Fail to turn over the green hide, carcass or any portion of the fur-bearing animal.....	10(2)(b)	200
26 Buy, acquire or deal in the pelts or hides of any fur-bearing animal without a license.....	10(3)	200
27 Carry on the business of a fur dealer without a license.....	12(1)	200
28 As a licensed fur dealer fail to keep records.....	13(1)(a)	200
29 As a licensed fur dealer fail to make records available for inspection.....	13(1)(b)	200
30 As a licensed fur dealer fail to make a report.....	13(2)	200
31 As a licensed fur dealer make a false statement in a report.....	13(4)	200

**2. These regulations come into force on December 25, 2010.**

**EXPLANATORY NOTES**

**SECTION 1** updates the ticketable offence provisions in the Fur Harvesting Regulations made pursuant to the *Wildlife Conservation Act*.

**SECTION 2** provides for the commencement of these regulations.